

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1099 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

- 1 Page 8, line 22, after "location." insert "**Permit fees shall be paid**
- 2 **to the municipality or the township in which the special discharge**
- 3 **location will be located.**".
- 4 Page 10, line 13, delete "gross".
- 5 Page 10, line 13, delete ", other".
- 6 Page 10, line 14, delete "than those set forth in section 8(a) of this
- 7 chapter,".
- 8 Page 10, line 15, delete "one" and insert "**three**".
- 9 Page 10, line 15, delete "five hundred (1,500)" and insert "**(3,000)**
- 10 **gross**".
- 11 Page 10, line 15, delete "product." and insert "**consumer**
- 12 **fireworks**".
- 13 Page 10, line 21, after "chapter." insert "**For purposes of this**
- 14 **subdivision, a retailer includes a resident wholesaler who supplied**
- 15 **consumer fireworks to an applicant for a tent registration in 2005.**
- 16 **(b) A retailer may sell consumer fireworks from a Class 1**
- 17 **structure (as defined in IC 22-12-1-4) that:**
- 18 **(1) complied with the rules for a B-2 or M building occupancy**
- 19 **prior to July 4, 2003, under the Indiana building code adopted**
- 20 **by the fire prevention and building commission established**
- 21 **under IC 22-12-2-1;**
- 22 **(A) in which 1.4G fireworks were sold or stored on or**
- 23 **before July 4, 2003; and**
- 24 **(B) in which no subsequent intervening non-fireworks sales**

1 or storage use has occurred; or
 2 **(2) complies with the rules for an H-3 building occupancy**
 3 **under the Indiana building code adopted by the fire**
 4 **prevention and building commission established under**
 5 **IC 22-12-2-1, or the equivalent occupancy classification**
 6 **adopted by subsequent rules of the fire prevention and**
 7 **building commission.**

8 **A registration under section 5(b)(3) of this chapter is required for**
 9 **operation in 2006 and following years."**

10 Page 10, delete lines 22 through 25.

11 Page 10, line 26, delete "building safety commission."

12 Page 10, line 26, before "A" begin a new paragraph and insert:
 13 **"(c)".**

14 Page 10, line 32, delete "gross".

15 Page 10, line 32, delete "structure," and insert **"structure"**.

16 Page 10, line 33, delete "other than those set forth in section 8(a) of
 17 this chapter,".

18 Page 10, line 34, delete "one" and insert **"three"**.

19 Page 10, line 34, delete "five hundred (1,500)" and insert **"(3,000)**
 20 **gross"**.

21 Page 10, line 35, delete "product." and insert **"consumer**
 22 **fireworks."**

23 Page 10, delete lines 36 through 39.

24 Page 10, line 40, delete "(5)" and insert **"(4)"**.

25 Page 10, line 42, delete "(6)" and insert **"(5)"**.

26 Page 11, line 5, delete "(c)" and insert **"(d)"**.

27 Page 11, line 22, reset in roman "one thousand".

28 Page 11, line 22, delete "seven hundred".

29 Page 11, line 23, delete "fifty".

30 Page 11, line 23, reset in roman "(\$1,000)".

31 Page 11, line 23, delete "(\$750)".

32 Page 11, line 23, delete "an" and insert **"a"**.

33 Page 11, delete lines 24 through 28, begin a new line block indented
 34 and insert:

35 **"registration fee of:**

36 **(A) two hundred dollars (\$200) for each additional sales**
 37 **location in a structure; and**

38 **(B) five hundred dollars (\$500) for each additional sales**
 39 **location in a tent;**

40 **from which consumer fireworks are to be offered for sale. The**
 41 **registration fee shall be deposited in the fire and building**
 42 **services fund as set forth in IC 22-12-6-1(c)."**

43 Page 16, between lines 34 and 35, begin a new paragraph and insert:

44 **"SECTION 15. IC 35-47-7-7 IS ADDED TO THE INDIANA**
 45 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 46 **[EFFECTIVE UPON PASSAGE]: Sec. 7. (a) If:**

47 **(1) a practitioner (as defined in IC 25-1-9-2) initially treats a**

1 person for an injury and identifies the person's injury as
 2 resulting from fireworks or pyrotechnics, the practitioner; or
 3 (2) a hospital or outpatient surgical center initially treats a
 4 person for an injury and the administrator of the hospital or
 5 outpatient surgical center identifies the person's injury as
 6 resulting from fireworks or pyrotechnics, the administrator or
 7 the administrator's designee;

8 shall report the case to the state health data center of the state
 9 department of health not more than five (5) business days after the
 10 time the person is treated. The report may be made in writing on
 11 a form prescribed by the state department of health.

12 (b) A person submitting a report under subsection (a) shall
 13 make a reasonable attempt to include the following information:

14 (1) The name, address, and age of the injured person.

15 (2) The date and time of the injury and the location where the
 16 injury occurred.

17 (3) If the injured person was less than eighteen (18) years of
 18 age, whether an adult was present when the injury occurred.

19 (4) Whether the injured person consumed an alcoholic
 20 beverage within three (3) hours before the occurrence of the
 21 injury.

22 (5) A description of the firework or pyrotechnic that caused
 23 the injury.

24 (6) The nature and extent of the injury.

25 (c) A report made under this section is considered confidential
 26 for purposes of IC 5-14-3-4(a)(1).

27 (d) The state department of health shall compile the data
 28 collected under this section and submit in an electronic format
 29 under IC 5-14-6 a report of the compiled data to the legislative
 30 council not later than December 31 of each year.

31 SECTION 16. IC 35-47-7-6 IS REPEALED [EFFECTIVE UPON
 32 PASSAGE]."

33 Renumber all SECTIONS consecutively

(Reference is to HB 1099 as reprinted February 1, 2006.)

Representative Frizzell

Adopted

Rejected

COMMITTEE REPORT

MR. SPEAKER:

Your Committee of One, to which was referred House Bill 1099, begs leave to report that said bill has been amended as directed.

Representative Frizzell